

9 July 1982

NOTE FOR: C/NIC
VC/NIC

SUBJECT : Legality of Bounties in War

FROM : NIO/GPF

1. This is in response to your question on the legality of bounties in war.

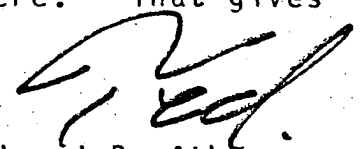
2. Article 23 of the Annex (Regulations) to Hage Convention #4 "Respecting the Laws and Customs of War on Land", dated 18 October 1970 reads in part as follows:

"In addition to the prohibitions provided by special convention, it is especially forbidden...to kill or wound treacherously individuals belonging to the hostile nation or army...."

3. Paragraph 31, entitled "Assassinations and Outlawery", of US Army FM 27-10, "Law of Land Warfare", dated July 1956, quotes article 23 above and provides the following interpretation:

"This article is construed as prohibiting assassination, proscription or outlawery of an enemy, or putting a price on an enemy's head, as well as offering a reward for an enemy dead or alive. It does not, however, preclude attacks on individual soldiers or officers of the enemy whether in the zone of hostilities, occupied territory or elsewhere."

4. In sum: no bounties. The Army JAG says the British have similar regulations and supposes that most European countries do the same. I am relieved to note that we are allowed to attack enemy soldiers and officers "elsewhere." That gives the green light for geographic escalation!



Edward B. Atkeson

UNCLASSIFIED